

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appeal Brief Transmittal

AF S
IFW

In re Application of: Bates, *et al.*

Serial No.: 09/456,157

Filed on: 12/07/99

For: **COPY/PASTE MECHANISM AND PASTE BUFFER THAT INCLUDES SOURCE
INFORMATION FOR COPIED DATA**

Mail Stop APPEAL BRIEF - PATENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is an **Appeal Brief** in triplicate for the above-identified Application.

- ☒ Please deduct \$340.00 from Deposit Account No. 09-0465 for IBM Corporation to cover the fee under 37 C.F.R. §1.17(f) for the filing of the enclosed appeal brief. A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 09-0465 for IBM Corporation. A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 C.F.R. §1.16.
- ☒ Any patent application processing fees under 37 C.F.R. §1.17.

MARTIN & ASSOCIATES, L.L.C.
P.O. Box 548
Carthage, MO 64836-0548
(417) 358-4700
FAX (417) 358-5757

Respectfully submitted,

By Bret J. Petersen
Bret J. Petersen
Reg. No. 37,417

I HEREBY CERTIFY THAT THE CORRESPONDENCE TO WHICH THIS STATEMENT IS AFFIXED IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE, POSTAGE PAID, AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP APPEAL BRIEF - PATENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Date: November 1, 2004

By: Deak P. Martin



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bates, *et al.* Docket No.: RO999-060
Serial No.: 09/456,157 Group Art Unit: 2178
Filed: 12/07/99 Examiner: Huynh, Cong Lac T

For: COPY/PASTE MECHANISM AND PASTE BUFFER THAT INCLUDES
SOURCE INFORMATION FOR COPIED DATA

APPEAL BRIEF

Mail Stop APPEAL BRIEF - PATENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

This appeal is taken from the Examiner's final rejection, set forth in the Office Action dated 06/14/04, of appellants' claims 1-9, 11-34 and 38-48. Appellants' Notice of Appeal under 37 C.F.R. §1.191 was mailed on 09/14/04.

REAL PARTY IN INTEREST

International Business Machines Corporation is the Real Party in Interest.

RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences for this patent application.

11/04/2004 YPOLITE1 00000014 090465 09456157
01 FC:1402 340.00 DA

STATUS OF CLAIMS

Claims 1-45 were originally filed in this patent application. In a first office action dated 12/22/03, claims 10 and 35-37 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 1-4, 6-8, 10-13, 15-16, 18-21, 23-24, 26-32, and 34-44 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,345,284 to Dinkelacker. Claims 5, 9, 14, 17, 22, 25, 33 and 45 were rejected under 35 U.S.C. §103(a) as being unpatentable over Dinkelacker in view of U.S. Patent No. 6,199,071 to Nielsen. In the amendment dated 03/22/04, claims 10 and 35-37 were canceled, claims 1, 11, 18, 27, 38 and 41 were amended, and new claims 46-48 were added. In an office action dated 06/14/04, appellants' claims 1-9, 11-34 and 38-48 were further rejected as before including the newly added claims. No claims were allowed. Claims 1-9, 11-34, and 38-48 are currently pending, and are at issue in this appeal.

STATUS OF AMENDMENTS

The amendment filed on 03/22/04 has been entered. Therefore, the claims at issue in this appeal are the claims as amended by the amendment filed 03/22/04.

SUMMARY OF INVENTION

An annotated paste buffer defines a first field for copied information, and a second field for source information relating to the copied information. A copy/paste mechanism copies the information the user selects into the first field, and gathers the appropriate information relating to the source of the copied information into the second field in the annotated paste buffer. A user may set cut/copy preferences to determine what information is gathered from the source document and placed in the second field in the annotated paste buffer. In addition, a user may set paste preferences to determine which of the source information, if any, in the second field is incorporated into a citation to the source of the information when the information is pasted into another document. In this manner a user can determine what source information is gathered, and can separately filter this information to provide citations that are tailored to different applications.

ISSUES

The following issues are presented for review on this Appeal:

- 1. Whether claims 1-4, 6-8, 11-13, 15-16, 18-21, 23-24, 26-32, 34 and 38-44 are unpatentable as obvious under 35 U.S.C. §103(a) over Dinkelacker.**
- 2. Whether claims 5, 9, 14, 17, 22, 25, 33 and 45-48 are unpatentable as obvious under 35 U.S.C. §103(a) over Dinkelacker in view of Nielsen**

GROUPING OF CLAIMS

Claims 1, 6, 11, 18, 27-29, 34 and 38-40 are grouped, and stand or fall together based on claim 18. Claims 2, 19 and 30 are grouped, and stand or fall together based on claim 19. Claims 3, 12, 20 and 31 are grouped, and stand or fall based on claim 20. Claims 4, 13, 21 and 32 are grouped, and stand or fall based on claim 21. Claims 5, 14, 22 and 33 are grouped, and stand or fall based on claim 22. Claims 7, 15, 23 and 41-43 are grouped, and stand or fall based on claim 23. Claims 8, 16, 24 and 44 are grouped, and stand or fall based on claim 24. Claims 9, 17, 25 and 45 are grouped, and stand or fall based on claim 25. Claims 46-48 are grouped, and stand or fall based on claim 47. It is appellant's intention that claim 26 be considered independently of all other claims because it does not stand or fall with any other claim. Considering claim 26 independently is appropriate because claim 26 recites a unique combination of limitations not found in any other claim.

ARGUMENT

Issue 1: Whether claims 1-4, 6-8, 11-13, 15-16, 18-21, 23-24, 26-32, 34 and 38-44 are unpatentable as obvious under 35 U.S.C. §103(a) over Dinkelacker.

The Examiner rejected claims 1-4, 6-8, 11-13, 15-16, 18-21, 23-24, 26-32, and 34-44 under 35 U.S.C. §103(a) as being unpatentable over Dinkelacker. Each of these claims is addressed below. Appellants respectfully assert that Dinkelacker does not teach or suggest to automatically place the source of the user-selected information in the second field of the paste buffer without further input from the user, and therefore this limitation would not have been obvious to one of ordinary skill in the art at the time the invention was made in view of Dinkelacker.

Claim 18

Claim 18 recites the automatic collection and writing of information relating to a source of the user-selected information in the second field of the paste buffer occurs *without further input from the user*. In other words, the information relating to the source of the user-selected information is generated automatically without user input when the user-selected information is written to the first field. In Dinkelacker, the user first copies selected information to the control palette. Next, the user may specify tags or other information to append to the information (“may also be selected by the user,” col. 2, lines 17-18; “in whatever manner that the user specifies,” col. 2, lines 58-59; “The user clicks on the palette choices 204 to add tags,” col. 2 line 67). The addition of tag information to the buffer is a manual, optional operation performed by the user. The only function that is performed automatically in Dinkelacker as a result of copying the user-selected item to the buffer is the display of the control palette. Nowhere does Dinkelacker teach or suggest the automatic collection and writing of information relating to a source of the

user-selected information without further input from the user when the user-selected information is written to the first field. The Examiner's assertion that "... the attributes and tags attached to the extracted object are written into the buffer based on selecting of the highlighted text by a user" is simply wrong. This statement does not accurately reflect the teaching of Dinkelacker. The more accurate representation is alluded to by the Examiner on page 3, lines 5-6 of the office action, where he states: "... any tags and attributes that the user attaches to the extracted object are written to the buffer." Here the Examiner correctly characterizes Dinkelacker, that it is the user that is attaching the tags since it is done in response to additional user actions. It is not done automatically. For this reason, claim 18 is allowable over Dinkelacker.

Further, claim 18 recites that the information relating to a source of the user-selected information is written into a second field of the paste buffer. Nowhere does Dinkelacker teach or suggest the information relating to a source of the user-selected information stored in the first field is written into a second field of the buffer or palette. In Dinkelacker all the information selected and generated is described as being stored in the buffer or palette. In the claims, the automatically stored information is placed in a second field, so that it can be used differently in the next process of inserting it into another document. This advantageous feature of the claims is not taught in the cited art. The Examiner has concluded without a specific reference that Dinkelacker includes multiple fields. Dinkelacker merely describes adding information to the buffer, and then inserting all the information into a file. The Examiner has inferred features that are not described. The proper test is that the cited art teaches or suggests the claimed invention, not to guess or fabricate inferences on what the art may have the "capability" to do. For this reason also, claim 18 is allowable over Dinkelacker, and appellant respectfully requests that the Examiner's rejection of claim 18 under 35 U.S.C. §103(a) be reversed.

Claims 1, 6, 11, 27-29, 34 and 38-40

Claims 1, 6, 11, 27-29 and 38-40 are grouped with claim 18, and stand or fall according to the allowability of claim 18.

Claim 19

The arguments above with respect to claim 18 apply equally to claim 19, and are incorporated in this section by reference. Claim 19 recites:

19. The method of claim 18 wherein the information written to the second field in the paste buffer is determined by at least one specified cut/copy preference.

Dinkelacker does not teach or suggest a second field in the paste buffer or putting information into the second buffer specified by a cut/copy preference. The Examiner has inferred from Dinkelacker the existence of separate fields as discussed above. Here the Examiner again infers structure in the art that is not described in Dinkelacker. The cited portion of Dinkelacker describes putting different data in the buffer depending on event buttons. It does not teach or suggest putting the data in a different location depending on the cut/copy preference as alleged by the Examiner (col. 3 line 56 to col. 4 line 10). The event buttons in Dinkelacker determine what is copied, and not where it is placed. For these reasons, claim 19 is allowable over Dinkelacker. In addition, claim 19 depends on claim 18, which is allowable for the reasons given above. As a result, claim 19 is also allowable as depending on an allowable independent claim. Appellant respectfully requests that the Examiner's rejection of claim 19 under 35 U.S.C. §103(a) be reversed.

Claims 2 and 30

Claims 2 and 30 are grouped with claim 19, and stand or fall according to the allowability of claim 19.

Claim 20

The arguments above with respect to claim 18 apply equally to claim 20, and are incorporated in this section by reference. Claim 20 recites:

20. The method of claim 18 further comprising the steps of:

inserting the information in the first field of the paste buffer into a document;
processing the information in the second field of the paste buffer to determine whether or not to automatically create a citation according to at least one specified paste preference, and if so, automatically creating a citation in the document that includes information from the second field.

Dinkelacker does not teach or suggest to create a citation according to a paste preference. The Examiner's basis for obviousness of this limitation is convoluted, confusing, and lacks specific references to Dinkelacker for support. It appears that the Examiner's basis is that Dinkelacker "can include an event of creating a citation as desired based on the author name and the file name." Here again the Examiner's rejection is based on what the cited art "could do" and not on what it teaches. The Examiner is using hindsight reasoning. The proper analysis is what the prior art teaches to one of ordinary skill, and not what the prior art could do in light of what the Appellant's invention teaches. For these reasons, claim 20 is allowable over Dinkelacker. In addition, claim 20 depends on claim 18, which is allowable for the reasons given above. As a result, claim 20 is also allowable as depending on an allowable independent claim. Appellant respectfully requests that the Examiner's rejection of claim 20 under 35 U.S.C. §103(a) be reversed.

Claims 3, 12 and 31

Claims 3, 12 and 31 are grouped with claim 20, and stand or fall according to the allowability of claim 20.

Claim 21

The arguments above with respect to claims 18 and 20 apply equally to claim 21, and are incorporated in this section by reference. Claim 21 recites:

21. The method of claim 18 wherein the citation comprises a parenthetical citation that is inserted in the document after the information in the first field that is inserted into the document.

Dinkelacker does not teach or suggest a parenthetical citation that is inserted in the document after the information in the first field is inserted into the document. The Examiner's basis for rejecting claim 21 relies on the same argument as for claim 20. The Examiner relies on the possibility that the user "can create instructional events associated with the selected object." Here again the Examiner's rejection is based on what the Examiner believes the cited art "could do" and not on what it teaches. For these reasons, claim 21 is allowable over Dinkelacker. In addition, claim 21 depends on claim 18, which is allowable for the reasons given above. As a result, claim 21 is also allowable as depending on an allowable independent claim. Appellant respectfully requests that the Examiner's rejection of claim 21 under 35 U.S.C. §103(a) be reversed.

Claims 4, 13 and 32

Claims 4, 13 and 32 are grouped with claim 21, and stand or fall according to the allowability of claim 21.

Claim 23

Claim 23 recites:

23. A computer-implemented method for using information stored in first and second fields in a paste buffer, the method comprising the steps of:

inserting the information in the first field of the paste buffer into a document;

processing the information in the second field of the paste buffer to determine whether or not to automatically create a citation according to at least one specified paste preference, and if so, automatically creating a citation in the document that includes information from the second field.

In rejecting claim 23, the Examiner states that Dinkelacker discloses processing the information in the paste buffer to determine whether or not to automatically create a citation according to at least one paste preference. In support the Examiner cites col. 5, lines 1-13; col. 4 lines 29-37 and figure 4 of Dinkelacker, and states that writing the file names or attributes attached to the selected text into the destination files where the user preferences in #410 and #407 of figure 4 determine how the selected text is presented in the destination document. Appellants forcefully assert that the cited portions of Dinkelacker do not read on the cited limitations in claim 23, namely:

processing the information in the second field of the paste buffer to determine whether or not to automatically create a citation according to at least one specified paste preference . . .

The cited language in Dinkelacker does not process information in the control palette buffer to determine whether or not to automatically create a citation. For this reason alone, claim 23 is allowable over Dinkelacker.

In the rejection, the Examiner admits that Dinkelacker does not disclose automatically creating a citation according to the paste preference. This language taken

together with the language earlier in the rejection results in the following conclusion by the Examiner: Dinkelacker teaches processing information in the paste buffer to determine whether or not to automatically create a citation according to at least one paste preference, but does not teach the automatic creation of the citation. The two parts of the rejection taken together show the fault in the Examiner's logic. Appellants strongly assert that if Dinkelacker does not disclose automatically creating a citation according to a paste preference, as admitted by the Examiner, Dinkelacker cannot teach processing information in the paste buffer to determine whether or not to automatically create a citation according to at least one specified paste preference.

The Examiner provides some convoluted logic that a user could include an event of creating a citation based on the author name and file name taught in Dinkelacker. However, the Examiner's own language teaches away from the express limitations in claim 23. If a user defines an event of creating a citation in Dinkelacker, as suggested by the Examiner, the creation of the citation is an operation performed at the request of the user. As a result, the creation of a citation in Dinkelacker cannot read on the processing of information in the second field of the paste buffer to determine whether or not to *automatically create* a citation according to at least one specified paste preference. Even assuming for the sake of argument that it would be obvious for a user to define a "create citation" function in Dinkelacker, this user-invoked function expressly teaches away from the automatic determination of whether or not to create a citation as recited in claim 23. Appellants forcefully assert that Dinkelacker does not teach, suggest or render obvious the "processing the information in the second field of the paste buffer to determine whether or not to automatically create a citation according to at least one specified paste preference", and the subsequent automatic creation of the citation, as recited in claim 23. For these reasons, claim 23 is allowable over Dinkelacker. Appellant respectfully requests that the Examiner's rejection of claim 23 under 35 U.S.C. §103(a) be reversed.

Claims 7, 15 and 41-43

Claims 7, 15 and 41-43 are grouped with claim 23, and stand or fall according to the allowability of claim 23.

Claim 24

The arguments above with respect to claims 18 and 21 apply equally to claim 24, and are incorporated in this section by reference.

With regards to claim 24, the Examiner has failed to establish a prima facie case of obviousness. In the rejection of claim 24, the Examiner states claim 24 includes the same limitations of claim 21 and rejects claim 24 relying on the same analysis as claim 21. However, claim 21 does not include all the limitations of claim of claim 24 since claim 24 is dependent on a different independent claim. Therefore the Examiner's rejection fails to establish a prima facie case of obviousness under 35 U.S.C. §103(a) because it does not address each and every claim limitation.

Claim 24 recites:

24. The method of claim 23 wherein the citation comprises a parenthetical citation that is inserted in the document after the information in the first field that is inserted into the document.

Dinkelacker does not teach or suggest a parenthetical citation that is inserted in the document after the information in the first field is inserted into the document, and after processing the information to determine whether to automatically create a citation in the document. The Examiner's basis for rejecting claim 24 relies on the same argument as for claim 21. The Examiner relies on the possibility that the user "can create instructional events associated with the selected object." Here again the Examiner's rejection is based

on what the Examiner believes the cited art “could do” and not on what it teaches. For these reasons, claim 24 is allowable over Dinkelacker. In addition, claim 24 depends on claim 23, which is allowable for the reasons given above. As a result, claim 24 is also allowable as depending on an allowable independent claim. Appellant respectfully requests that the Examiner’s rejection of claim 24 under 35 U.S.C. §103(a) be reversed.

Claim 8, 16, and 44

Claims 8, 16, and 44 are grouped with claim 24, and stand or fall according to the allowability of claim 24.

Issue 2: Whether claims 5, 9, 14, 17, 22, 25, 33 and 45-48 are unpatentable as obvious under 35 U.S.C. §103(a) over Dinkelacker in view of Nielsen.

The Examiner rejected claims 5, 9, 14, 17, 22, 25, 33 and 45-48 under 35 U.S.C. §103(a) as being unpatentable over Dinkelacker in view of Nielsen. Each of these claims are dependent on claims described above. As a result, each of claims 5, 9, 14, 17, 22, 25, 33 and 45 are allowable as depending on allowable independent claims. Further these claims are allowable for the reasons stated below.

Claim 22

The arguments above with respect to claim 18 apply equally to claim 22, and are incorporated in this section by reference. Claim 22 recites:

22. The method of claim 18 wherein the citation comprises a footnote citation comprising a footnote reference number and footnote text, wherein the footnote reference number is inserted in the document after the information in the first field that is inserted into the document, and wherein the footnote text is placed in a different location in the document.

The Examiner has combined Dinkelacker and Nielsen without a rational suggestion to combine. Dinkelacker teaches to allow a user to select items and extract them into a palette, and then manipulate those items before inserting them into a file. Nielsen teaches to print or archive an HTML document in a non-interactive format by converting the hyperlinks to notes or footnotes. There is no teaching to combine these references, and if combined they do not teach the claimed invention herein without using the Appellants' claims as a blueprint.

The only motivation for such a combination is through impermissible hindsight reconstruction, using the claim as a template for piecing together the prior art in a way that allegedly reads on the claim. The Federal Circuit has held:

To imbue one of ordinary skill in the art with knowledge of the invention in suit, when no prior art reference or references of record convey or suggest that knowledge, is to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher. In re Fine, 837 F.2d 1071, 1075, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988)(quoting W.L. Gore & Assoc. v. Garlock, Inc., 721 F.2d 1540, 1553, 220 U.S.P.Q. 303, 312-13 (Fed. Cir. 1983)).

The Examiner's rejection is a prime example of impermissible hindsight reconstruction. The Examiner has cited no reference or teaching in the prior art that suggests that the teachings of Nielsen could be applied to the contents of a paste buffer before inserting into a file.

The Examiner's stated rationale for the combination is "to utilize the selected text pasted in the destination document as a particular text that needs to be referred to for inserting the footnote reference number and to utilize the attributes and the file name associated with the selected text and pasted to the destination file as the information referred from the footnote number." This rationale is confusing. The Examiner's rationale appears to be a mere restatement of the advantages of the claimed invention. This is thus a prime example of impermissible hindsight reconstruction, where that which only the inventor taught is used against the teacher. If the Examiner could establish a prima facie case of obviousness by stating that it would be obvious to combine reference A with reference B because the combination would give the benefits of the claimed invention, the Examiner's job would be very easy to reject all combinations. However, this is not the appropriate standard. The Examiner must show some motivation for the proposed combination other than the advantages apparent from the claimed invention itself. In this case, the Examiner has provided no coherent rationale in the rejection as to

why one of ordinary skill in the art would be motivated to apply the concepts of Nielsen regarding converting HTML documents for printing to the palette taught in Dinkelacker.

For the reasons above, claim 22 is allowable over Dinkelacker. In addition, claim 22 depends on claim 18, which is allowable for the reasons given above. As a result, claim 22 is also allowable as depending on an allowable independent claim. Appellant respectfully requests that the Examiner's rejection of claim 22 under 35 U.S.C. §103(a) be reversed.

Claim 5, 14 and 33

Claims 5, 14, and 33 are grouped with claim 22, and stand or fall according to the allowability of claim 22.

Claim 25

The arguments above with respect to claims 22 and 23 apply equally to claim 25, and are incorporated in this section by reference.

With regards to claim 25, the Examiner has failed to establish a prima facie case of obviousness. In the rejection of claim 25, the Examiner states claim 25 includes the same limitations of claim 22 and rejects claim 25 relying on the same analysis as claim 22. However, claim 22 does not include all the limitations of claim of claim 25 since claim 25 is dependent on a different independent claim. Therefore the Examiner's rejection fails to establish a prima facie case of obviousness under 35 U.S.C. §103(a) because it does not address each and every claim limitation.

Claim 25 recites:

25. The method of claim 23 wherein the citation comprises a footnote citation comprising a footnote reference number and footnote text, wherein the footnote reference number is inserted in the document after the information in the first field that is inserted into the document, and wherein the footnote text is placed in a different location in the document.

The cited art does not teach or suggest a footnote citation with the footnote reference number inserted in the document and the footnote text is placed in a different location in the document. For these reasons, claim 25 is allowable over Dinkelacker. In addition, claim 25 depends on claim 23, which is allowable for the reasons given above. As a result, claim 25 is also allowable as depending on an allowable independent claim. Appellant respectfully requests that the Examiner's rejection of claim 25 under 35 U.S.C. §103(a) be reversed.

Claim 9, 17 and 45

Claims 9, 17 and 45 are grouped with claim 25, and stand or fall according to the allowability of claim 25.

Claim 47

The arguments above with respect to claim 25 apply equally to claim 47, and are incorporated in this section by reference. Claim 47 recites the automatic generation of a footnote from information in a paste buffer. Neither Dinkelacker nor Nielsen nor their combination teach or suggest the automatic generation of a footnote from information in a paste buffer. As a result, claim 47 is allowable over Dinkelacker, Nielsen and their combination.

The Examiner has asserted that “Nielsen discloses creating a footnote in a document from the information in a field of the paste buffer.” This assertion is without any cited factual basis. Further, Appellants have found no reference to a “paste buffer” in Nielsen. Nielsen operates on hypertext documents (col 1, line 9). The Examiner has given no motivation for applying the operations of Nielsen to a paste buffer. This is another example of impermissible hindsight reconstruction. The cited art does not teach all the pieces of the claimed invention, and where there are missing pieces, the Examiner has used the Appellants’ invention as a blueprint to achieve combinations of references that would not have been obvious to one of ordinary skill in the art. Appellants respectfully assert that claim 47 is allowable over the combination of Dinkelacker and Nielsen, and request that the Examiner’s rejection of claim 47 under 35 U.S.C. §103(a) be reversed.

Claims 46 and 48

Claims 46 and 48 are grouped with claim 47, and stand or fall according to the allowability of claim 47.

Claim 26

The arguments above with respect to claims 19 and 23 apply equally to claim 26, and are incorporated in this section by reference. Claim 26 recites:

26. The method of claim 23 wherein the information stored in the second field of the paste buffer relates to a source for the information in the first field.

The cited art does not teach or suggest the information stored in the second field of the paste buffer relates to a source for the information in the first field. As described in the arguments in support of claim 19, the cited art does not teach or suggest multiple fields

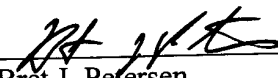
for the paste buffer. Further, the cited art does not teach or suggest data in those multiple fields are related in the manner described in claim 26. For these reasons, claim 26 is allowable over Dinkelacker in view of Nielsen. In addition, claim 26 depends on claim 23, which is allowable for the reasons given above. As a result, claim 26 is also allowable as depending on an allowable independent claim. Appellant respectfully requests that the Examiner's rejection of claim 26 under 35 U.S.C. §103(a) be reversed.

CONCLUSION

Claims 1-9, 11-34, and 38-48 are addressed in this Appeal. For the numerous reasons articulated above, appellant maintain that the rejection of claims 1-9, 11-34, and 38-48 under 35 U.S.C. § 103(a) is erroneous.

Appellant respectfully submits that this Appeal Brief fully responds to, and successfully contravenes, every ground of rejection and respectfully requests that the final rejection be reversed and that all claims in the subject patent application be found allowable.

Respectfully submitted,


Bret J. Petersen
Reg. No. 37,417

MARTIN & ASSOCIATES, L.L.C.
P.O. Box 548
Carthage, MO 64836-0548
(417) 358-4700
Fax (417) 358-5757

APPENDIX - CLAIMS FINALLY REJECTED

- 1 1. An apparatus comprising:
 - 2 at least one processor;
 - 3 a memory coupled to the at least one processor;
 - 4 a paste buffer residing in the memory, the paste buffer including first and second
 - 5 fields; and
 - 6 a cut/copy mechanism residing in the memory that writes information selected by
 - 7 a user into the first field of the paste buffer, and that automatically collects and writes
 - 8 information relating to a source of the user-selected information in the second field of the
 - 9 paste buffer without further input from the user when the user-selected information is
 - 10 written to the first field.
- 1 2. The apparatus of claim 1 wherein the information that the cut/copy mechanism writes
 - 2 to the second field is determined by at least one specified cut/copy preference.
- 1 3. The apparatus of claim 1 further comprising a paste mechanism that inserts the
 - 2 information in the first field of the paste buffer into a document, and that processes the
 - 3 information in the second field of the paste buffer to determine whether or not to
 - 4 automatically create a citation according to at least one specified paste preference, and if
 - 5 so, automatically creating a citation in the document that includes information from the
 - 6 second field.
- 1 4. The apparatus of claim 3 wherein the citation comprises a parenthetical citation that is
 - 2 inserted in the document after the information in the first field that is inserted into the
 - 3 document.

- 1 5. The apparatus of claim 3 wherein the citation comprises a footnote citation comprising
2 a footnote reference number and footnote text, wherein the footnote reference number is
3 inserted in the document after the information in the first field that is inserted into the
4 document, and wherein the footnote text is placed in a different location in the document.
- 1 6. The apparatus of claim 3 wherein the cut/copy mechanism and the paste mechanism
2 are different portions of the same copy/paste mechanism.

1 7. An apparatus comprising:
2 at least one processor;
3 a memory coupled to the at least one processor;
4 a paste buffer residing in the memory, the paste buffer including first and second
5 fields; and
6 a paste mechanism residing in the memory that inserts information in the first
7 field of the paste buffer into a document, and that processes information in the second
8 field of the paste buffer to determine whether or not to automatically create a citation
9 according to at least one specified paste preference, and if so, automatically creating a
10 citation in the document that includes information from the second field.

1 8. The apparatus of claim 7 wherein the citation comprises a parenthetical citation that is
2 inserted in the document after the information in the first field that is inserted into the
3 document.

1 9. The apparatus of claim 7 wherein the citation comprises a footnote citation comprising
2 a footnote reference number and footnote text, wherein the footnote reference number is
3 inserted in the document after the information in the first field that is inserted into the
4 document, and wherein the footnote text is placed in a different location in the document.

1 10. (Canceled)

1 11. An apparatus comprising:
2 a memory;
3 a paste buffer residing in the memory, the paste buffer including first and second
4 fields;
5 means residing in the memory for copying information selected by a user into the
6 first field in the paste buffer; and
7 means for automatically collecting and writing information relating to a source of
8 the user-selected information into the second field of the paste buffer without further
9 input from the user when the user-selected information is copied into the first field of the
10 paste buffer.

1 12. The apparatus of claim 11 further comprising:
2 means for inserting the information in the first field of the paste buffer into a
3 document;
4 means for processing the information in the second field of the paste buffer to
5 determine whether or not to automatically create a citation according to at least one
6 specified paste preference, and if so, automatically creating a citation in the document
7 that includes information from the second field.

1 13. The apparatus of claim 12 wherein the citation comprises a parenthetical citation that
2 is inserted in the document after the information in the first field that is inserted into the
3 document.

1 14. The apparatus of claim 12 wherein the citation comprises a footnote citation
2 comprising a footnote reference number and footnote text, wherein the footnote reference
3 number is inserted in the document after the information in the first field that is inserted
4 into the document, and wherein the footnote text is placed in a different location in the
5 document.

1 15. An apparatus comprising:
2 a memory;
3 a paste buffer residing in the memory, the paste buffer including first and second
4 fields;
5 means for inserting the information in the first field of the paste buffer into a
6 document;
7 means for processing the information in the second field of the paste buffer to
8 determine whether or not to automatically create a citation according to at least one
9 specified paste preference, and if so, automatically creating a citation in the document
10 that includes information from the second field.

1 16. The apparatus of claim 15 wherein the citation comprises a parenthetical citation that
2 is inserted in the document after the information in the first field that is inserted into the
3 document.

1 17. The apparatus of claim 15 wherein the citation comprises a footnote citation
2 comprising a footnote reference number and footnote text, wherein the footnote reference
3 number is inserted in the document after the information in the first field that is inserted
4 into the document, and wherein the footnote text is placed in a different location in the
5 document.

1 18. A computer-implemented method for placing information into a paste buffer, the
2 method comprising the steps of:
3 copying information selected by a user into a first field in the paste buffer; and
4 automatically collecting and writing information relating to a source of the user-
5 selected information into a second field in the paste buffer without further input from the
6 user when the user-selected information is copied into the first field of the paste buffer.

1 19. The method of claim 18 wherein the information written to the second field in the
2 paste buffer is determined by at least one specified cut/copy preference.

1 20. The method of claim 18 further comprising the steps of:
2 inserting the information in the first field of the paste buffer into a document;
3 processing the information in the second field of the paste buffer to determine
4 whether or not to automatically create a citation according to at least one specified paste
5 preference, and if so, automatically creating a citation in the document that includes
6 information from the second field.

1 21. The method of claim 18 wherein the citation comprises a parenthetical citation that is
2 inserted in the document after the information in the first field that is inserted into the
3 document.

1 22. The method of claim 18 wherein the citation comprises a footnote citation comprising
2 a footnote reference number and footnote text, wherein the footnote reference number is
3 inserted in the document after the information in the first field that is inserted into the
4 document, and wherein the footnote text is placed in a different location in the document.

1 23. A computer-implemented method for using information stored in first and second
2 fields in a paste buffer, the method comprising the steps of:
3 inserting the information in the first field of the paste buffer into a document;
4 processing the information in the second field of the paste buffer to determine
5 whether or not to automatically create a citation according to at least one specified paste
6 preference, and if so, automatically creating a citation in the document that includes
7 information from the second field.

1 24. The method of claim 23 wherein the citation comprises a parenthetical citation that is
2 inserted in the document after the information in the first field that is inserted into the
3 document.

1 25. The method of claim 23 wherein the citation comprises a footnote citation comprising
2 a footnote reference number and footnote text, wherein the footnote reference number is
3 inserted in the document after the information in the first field that is inserted into the
4 document, and wherein the footnote text is placed in a different location in the document.

1 26. The method of claim 23 wherein the information stored in the second field of the
2 paste buffer relates to a source for the information in the first field.

- 1 27. A program product comprising:
2 a paste buffer that includes first and second fields;
3 a cut/copy mechanism that writes information selected by a user into the first field
4 of the paste buffer, and that automatically collects and writes information relating to a
5 source of the user-selected information in the second field of the paste buffer without
6 further input from the user when the user-selected information is written to the first field;
7 and
8 computer readable signal bearing media bearing the paste buffer and the cut/copy
9 mechanism.
- 1 28. The program product of claim 27 wherein the signal bearing media comprises
2 recordable media.
- 1 29. The program product of claim 27 wherein the signal bearing media comprises
2 transmission media.
- 1 30. The program product of claim 27 wherein the information that the cut/copy
2 mechanism writes to the second field is determined by at least one specified cut/copy
3 preference.
- 1 31. The program product of claim 27 further comprising a paste mechanism on the signal
2 bearing media that inserts the information in the first field of the paste buffer into a
3 document, and that processes the information in the second field of the paste buffer to
4 determine whether or not to automatically create a citation according to at least one
5 specified paste preference, and if so, automatically creating a citation in the document
6 that includes information from the second field.

1 32. The program product of claim 31 wherein the citation comprises a parenthetical
2 citation that is inserted in the document after the information in the first field that is
3 inserted into the document.

1 33. The program product of claim 31 wherein the citation comprises a footnote citation
2 comprising a footnote reference number and footnote text, wherein the footnote reference
3 number is inserted in the document after the information in the first field that is inserted
4 into the document, and wherein the footnote text is placed in a different location in the
5 document.

1 34. The program product of claim 31 wherein the cut/copy mechanism and the paste
2 mechanism are different portions of the same copy/paste mechanism.

1 35. (Canceled)

1 36. (Canceled)

1 37. (Canceled)

1 38. A program product comprising:
2 a cut/copy mechanism that writes information selected by a user into a first field
3 in a paste buffer, and that automatically collects and writes information relating to a
4 source of the user-selected information in a second field in the paste buffer without
5 further input from the user when the user-selected information is written to the first field;
6 and
7 computer readable signal bearing media bearing the cut/copy mechanism.

1 39. The program product of claim 38 wherein the signal bearing media comprises
2 recordable media.

1 40. The program product of claim 38 wherein the signal bearing media comprises
2 transmission media.

- 1 41. A program product comprising:
2 a paste mechanism that inserts information in a first field of a paste buffer into a
3 document, and that processes information in a second field of the paste buffer to
4 determine whether or not to automatically create a citation according to at least one
5 specified paste preference, and if so, automatically creating a citation in the document
6 that includes information from the second field; and
7 computer readable signal bearing media bearing the paste mechanism.
- 1 42. The program product of claim 41 wherein the signal bearing media comprises
2 recordable media.
- 1 43. The program product of claim 41 wherein the signal bearing media comprises
2 transmission media.
- 1 44. The program product of claim 41 wherein the citation comprises a parenthetical
2 citation that is inserted in the document after the information in the first field that is
3 inserted into the document.
- 1 45. The program product of claim 41 wherein the citation comprises a footnote citation
2 comprising a footnote reference number and footnote text, wherein the footnote reference
3 number is inserted in the document after the information in the first field that is inserted
4 into the document, and wherein the footnote text is placed in a different location in the
5 document.

1 46. An apparatus comprising:
2 at least one processor;
3 a memory coupled to the at least one processor;
4 a paste buffer residing in the memory, the paste buffer including first and second
5 fields; and
6 a paste mechanism that inserts the information in the first field of the paste buffer
7 into a document; and
8 an automatic footnote generator that processes the information in the second field
9 of the paste buffer and automatically creates therefrom a footnote in the document that
10 includes information from the second field, wherein the footnote comprises a footnote
11 reference number and corresponding footnote text, wherein the footnote reference number
12 is inserted in the document after the information in the first field that is inserted into the
13 document, and wherein the corresponding footnote text is placed in a different location in
14 the document.

1 47. A computer-implemented method for using information stored in first and second
2 fields in a paste buffer, the method comprising the steps of:
3 inserting the information in the first field of the paste buffer into a document; and
4 automatically creating from the information in the second field of the paste buffer
5 a footnote in the document, wherein the footnote comprises a footnote reference number
6 and corresponding footnote text, wherein the footnote reference number is inserted in the
7 document after the information in the first field that is inserted into the document, and
8 wherein the corresponding footnote text is placed in a different location in the document.

1 48. A program product comprising:
2 a paste mechanism that inserts information in a first field of a paste buffer into a
3 document;
4 an automatic footnote generator that processes information in a second field of the
5 paste buffer and automatically creates therefrom a footnote in the document that includes
6 information from the second field, wherein the footnote comprises a footnote reference
7 number and corresponding footnote text, wherein the footnote reference number is
8 inserted in the document after the information in the first field that is inserted into the
9 document, and wherein the corresponding footnote text is placed in a different location in
10 the document; and
11 computer readable signal bearing media bearing the paste mechanism and the
12 automatic footnote generator.